



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 28, 1995

Ms. Gail Fenter
Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702-1152

OR95-1012

Dear Ms. Fenter:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 35235.

The City of Midland (the "city") received a request for:

1. On a daily basis, the 'public page' of all City of Midland Police Department Offense Records.
2. On a weekly basis, in electronic format, the 'public page' of all City of Midland Police Department Offense Records.

You claim that the city is not required to comply with a "standing request." You also claim that the request is too vague to be understood.

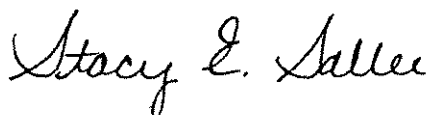
The city first objects that the request constitutes an improper "standing request" and that therefore the city need not furnish the requested information. This office has previously ruled that a governmental body need not honor a standing request. A "standing request" refers to a request to provide information "on a periodic basis," *see* Open Records Decision No. 465 (1987); a weekly basis, *see* Open Records Decision No. 476 (1987); or to provide information that has not yet been recorded, *see* Open Records Decision No. 452 (1986). The request is a standing request, as it seeks information on a daily and weekly basis. Therefore, the city is not obliged to comply with the request to provide information on a periodic basis. However, as the requestor is likely to submit periodic requests for this information, we will consider its availability.¹

¹Due to the fact that the recent amendments to the Open Records Act will be effective as of September 1, 1995, we do not address whether the requestor may receive the requested information in an

You claim that the city is unable to comply with the request because the city's offense reports do not have a page designated as a "public page." A governmental body has a duty to make a good faith effort to relate a request for information to information the governmental body holds. Open Records Decision No. 561 (1990) at 8. This office has held that generally governmental bodies may not withhold from public disclosure information that typically appears on the first page of an offense report. Open Records Decision No. 127 (1976). We enclose a copy of Open Records Decision No. 127 (1976) for your information. Although this information is generally found on the first page of an offense report, its location is not determinative. To determine what information must be released, the type of information must be examined rather than its location. *See id.* at 5.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee
Assistant Attorney General
Open Records Division

SES/ch

Ref.: ID# 35235

Enclosures: Open Records Decision No. 127 (1976)
Submitted documents

cc: Mr. Jim Servatius
The Midland Reporter-Telegram
P.O. Box 1650
Midland, Texas 79702
(w/o enclosures)

(Footnote continued)

"electronic format." *See* Act of May 29, 1995, 74th Leg., R.S., ch. 1035, 1990 Tex. Sess. Law Serv. 5127 (Vernon) (to be codified as an amendment to Gov't Code ch. 552). If the city receives a subsequent request for this same information and the city wishes to withhold that information, we suggest that the city submit to this office the requested information and the city's arguments as to why the information is excepted from disclosure. This office will consider those arguments at that time.